

Chapter VI: Other Than Full and Open Competition (OFOC) SOP
Attachment 2: Request for Limited Sources Justification Format >\$150K

LIMITED SOURCES JUSTIFICATION

ORDER >\$150,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 663-15-4-048-0042

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source: Provide original manufacturer's name for material or contractor's name for service. (If a sole source manufacturer distributes via dealers, ALSO provide dealer information.)

Manufacturer/Contractor: Federal Staffing Resources LLC

Manufacturer/Contractor POC & phone number: Samantha Siedhoff, 618-651-0173

Mfgr/Contractor Address: 2200 Somerville Rd Ste 300, Annapolis MD 21401-3713

Dealer/Rep address/phone number: Samantha Siedhoff, 618-651-0173

☒ The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs
Network Contracting Office 20
1495 Wilmington Drive, Suite 360
DuPont WA 98327
20

VISN:

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

This procurement is for a temporary help agency to supply a Therapeutic Medical Physicist while Puget Sound Health Care Center (PSHCS), Seattle, WA (PSHCS) attempts to hire on a dual path with contracting for a new Therapeutic Medical Physicist. Currently there have been no attempts to recruit as the National Qualification Standards were under review by the National Radiation Oncology Program (NROP) at VACO. The new qualification standards for Therapeutic Medical Physicists, GS-601 under Hybrid Title 38 have now been completed and were published July 8, 2015.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

VA PSHCS has a need for Therapeutic Medical Physicist services in support of the Radiation Therapy Planning Team for the preparation of radiation therapy treatment devises and for treatment setups. The Therapeutic Medical Physicist must have expert knowledge and competence in the field of Radiation Oncology.

(b) ESTIMATED DOLLAR VALUE: [REDACTED]

(c) REQUIRED DELIVERY DATE: Base Period 8/25/2015-2/24/2016 and one 6-month option

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(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE. (CHECK ALL THAT APPLY AND COMPLETE)

☒ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.). Describe in detail why only this suggested source can furnish the requirements to the exclusion of other sources.

The VA Radiation Oncology Services are accredited by American College of Radiology (ACR) and follow the standards & guidelines set forth by ACR. As such, any Contractor providing on-site radiation oncology services must adhere to all the American College of Radiology Guidelines & Technical Standards for Radiation Oncology. A contractor providing on-site radiation oncology services must provide evidence the radiation oncology practice meets or exceeds the American College of Radiology Guidelines for Radiation Oncology. (Performance Work Statement [PWS] paragraph 1.) The contractor's Therapeutic Medical Physicist must be approved by VA's National Health Physics Program, National Radiation Oncology Program prior to award of Task Order (PWS Appendix A, paragraph 1.(9)(a)).

The resulting candidate's name is placed on VA Puget Sound's Linear Accelerator (LINAC) machine registration. The LINAC is the device most commonly used for external beam radiation treatments for patients with cancer. Placing the Therapeutic Medical Physicist's name on the machine registration allows VA PSHCS to continue treating cancer patients. Without a Therapeutic Medical Physicist's name on the radiation producing machine registration certification, VA PSHCS would need to close the entire Puget Sound Radiation Oncology Program. No new patients would be allowed for therapeutic treatments without a certified (and experienced) medical physicist.

An acquisition for this service was competed in 2014. There were a lot of discussion and emails to get VA PSHCS Medical Center Director, the Service Line, and VA's National Health Physics Program, National Radiation Oncology Program agreement on a qualified candidate.

Federal Staffing Resources, LLC is the incumbent contractor under V797P-7114A VA260-14-F-0759 which will expire on 8/24/2015. Only this source can provide the needed service because Federal Staffing Resources, LLC's employee's name is on VA PSHCS's radiation treatment machine because during last year's acquisition competition its employee was approved by VA's National Health Physics Program, National Radiation Oncology Program.

VA PSHCS needs another short term Task Order in place to cover the gap between 8/24/2015 and when the customer can hire through Human Resources using the newly approved (7/8/2015) Qualification Standards.

This contractor's Therapeutic Medical Physicist's name is on VA PSHCS's machine registration.

☐ A patent, copyright or proprietary data limits competition. The proprietary data is:
(If FAR 8.405-6(a)(2)iii before posting. Do not include specific proprietary data. Only mention the type of equipment, procedure, etc. to show that proprietary supplies or services are being procured.)

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☐ These are "direct replacements" parts/components for existing equipment.

☐ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing. Describe the equipment/function you have now and how the new item/service must coordinate, connect, or interface with the existing system.

☒ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

The previous acquisition (VA260-14-Q-0965) was competed by emailing the Request For Quotations to five (5) GSA/FSS Schedule holder companies. Competition was based on the evaluation criteria of Technical Capability, Past Performance, and Price. Three companies responded. The original order was NOT issued under sole source or limited source procedures.

☒ An urgent and compelling need exists, and following the ordering procedures would result in unacceptable delays.

The current Task Order expires 8/24/2015. Considering the VA time needed to have agreement on qualified candidates, Credentialing and Privileging, and Security clearance (with EQIP being down), the cancer treatment program would be closed down on 8/25/2015 until a new Therapeutic Medical Physicist was either recruited/hired and brought onboard through HR or a new GSA/FSS Schedule holder competition was held and approval granted by VA's National Health Physics Program, National Radiation Oncology Program. VA PSHCS's need to continue Cancer treatment constitutes an urgent, critical need for uninterrupted services while VA PSHCS pursues hiring the Therapeutic Medical Physicist through Human Resources.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

When this was competed in 2014, three companies quoted. This company's candidate was one of only two candidates acceptable to the National Health Physics Program, National Radiation Oncology Program. Of the two acceptable to the National Health Physics Program, National Radiation Oncology Program, the Technical Evaluation Board stated this candidate was best for patient safety. This candidate and company were selected based on Best Value Trade Off considering the evaluation criteria of Technical Capability, Past Performance, and Price; and Federal Staffing Resources, LLC's price did not exceed the already approved NAC FSS rates.

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(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

The Contracting Officer conducted Market Research on 7/9/2015 (eCMS Briefcase P02 CO's Market Research). There are 14 NAC FSS holders; 10 companies are Small; 4 are Other than small. The incumbent is a Small company.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

[REDACTED] recruitment should happen rather quickly (3-6 months), depending on Human Resources processes. There is phrasing in the PWS that the contractor Physicist will finish the current commitment assignment. If the VA hires someone else, the PWS allows the VA to cancel the contract with a 30-day notice. The Option periods are a safety valve should the VA be unable to hire expeditiously.

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

The VA intends to hire the Therapeutic Medical Physicist as a civil service position through VA Human Resources using the newly approved (7/8/2015) Qualification Standards.

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(9) REQUIREMENTS CERTIFICATION: I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. *(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)*

Jeannine Myers 7/15/15
SIGNATURE DATE
Jeannine Myers Business Manager Hospital and Specialty Medicine
NAME TITLE SERVICE LINE/SECTION
VA Puget Sound HCS
FACILITY

(10) APPROVALS IN ACCORDANCE WITH THE VHAPM, Volume 6, Chapter VI: OFOC SOP: *This part is filled out by Contracting Staff as part of the Justification.*

a. CONTRACTING OFFICER'S CERTIFICATION (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Darlene J.
Anderson 462963

Digitally signed by Darlene J. Anderson
462963
DN: cn=gov, o=va, ou=Internal, ou=people,
0.9.2342.19200300.100.1.1=Darlene.J.Anderson
462963
Date: 2015.07.15 13:09:50 -0700

7/15/2015

DATE

Darlene Anderson
Contracting Officer
Network Contracting Office 20

b. Director of Contracting/DESIGNEE: I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Richard G. Steffey
917188

Digitally signed by Richard G. Steffey 917188
DN: cn=gov, o=va, ou=Internal, ou=people,
0.9.2342.19200300.100.1.1=Richard.Steffey@va.gov,
cn=Richard G. Steffey 917188
Date: 2015.07.21 13:55:13 -0700

21 July 2015

DATE

for Nicholas M. Jenkins
Director of Contracting
Network Contracting Office 20